

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

CHOATES G. CONTRACTING, LLC,

Appellant,

v.

DOUGLAS STRANGER,

Appellee.

Civil Action No. 1:23-cv-20585

ORDER

O’HEARN, District Judge.

THIS MATTER comes before the Court by way of *pro se* Appellant Choates G. Contracting, LLC’s Notice of Appeal from Bankruptcy Court, filed September 22, 2023, (ECF No. 1); and

WHEREAS, “[i]t is well established that a corporate entity such as a limited liability company may not proceed *pro se* and must be represented by legal counsel,” *In re 69 N. Franklin Tpk., LLC*, 693 F. App’x 141, 144 (3d Cir. 2017); and

WHEREAS, Appellant attempts to proceed *pro se*; and

WHEREAS, Federal Rule of Bankruptcy Procedure 8009 requires that, within 14 days of filing a notice of appeal, an “appellant must file with the bankruptcy clerk and serve on the appellee a designation of the items to be included in the record on appeal and statement of the issues to be presented,” Fed. R. BANKR. P. 8009(a)(1)(A)–(B); and

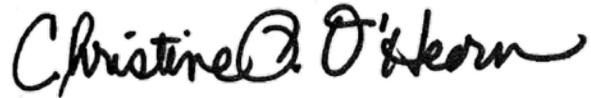
WHEREAS, Appellant failed to file a designation of items to be included in the record and a statement of issues within 14 days of the Notice of Appeal; and

WHEREAS, on October 12, 2023, the Bankruptcy Clerk issued a letter notifying Appellant that it “failed to file such designation or to request an extension of time within which to file same,” (ECF No. 2); therefore

IT IS on this 4th day of December, 2023,

ORDERED that this Appeal is **DISMISSED WITHOUT PREJUDICE**; and it is

FURTHER ORDERED that Appellant is granted thirty (30) days to obtain counsel and cure its Rule 8009 deficiencies.

A handwritten signature in black ink, reading "Christine P. O'Hearn". The signature is fluid and cursive, with a horizontal line drawn underneath it.

CHRISTINE P. O'HEARN
United States District Judge